



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278*

October 21, 2024

BY ECF

The Honorable Analisa Torres
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Cholo Abdi Abdullah*, 20 Cr. 677 (AT)

Dear Judge Torres:

The Government respectfully writes in response to the Court's requests regarding several issues raised at the final pretrial conference earlier today. After today's conference, the Government spoke with Bureau of Prisons ("BOP") legal staff at the Metropolitan Detention Center ("MDC") on multiple occasions, and now provides the following updates:

First, BOP staff confirmed that the defendant has been able to access the Government's initial production of Jencks Act material and draft trial exhibits provided to him on October 11, 2024. (*See* Dkt. 132). Based on discussions with BOP staff, the Government understands that the defendant has not previously raised concerns regarding his ability to access the Government's October 18, 2024 production of Jencks Act materials and draft trial exhibits, which updated its prior production. To address and ameliorate any technical issues that the defendant may be having with the production of Jencks Act material and trial exhibit updates provided to him on October 18, 2024, the Government provided an additional hard drive to MDC this afternoon, which was hand delivered to the defendant.

Second, BOP staff confirmed that inmates subject to Special Administrative Measures ("SAMs"), like the defendant, have access to hair clippers and razors on request. BOP staff conveyed that the defendant has not made any recent request to BOP unit staff for these items; if the defendant makes such a request, the BOP will promptly provide him with the requested materials, subject to appropriate safety protocols. BOP staff also conveyed that, during their communications with the defendant earlier today, the defendant stated he has access to hair clippers without issue, but instead requests that someone else at the facility assist him in cutting his hair. Although in some instances inmates at MDC have volunteered to provide haircuts to other inmates, such contact is not permissible under the defendant's SAMs that were imposed for safety reasons. The BOP remains willing to provide the defendant with a hair clipper and razor for his personal needs in advance of trial.

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Third, BOP unit staff are not aware of any requests by the defendant to use the law library, which contains, among other things, access to legal research through LexisNexis. The Government learned today that the system used in the law library to access LexisNexis is undergoing a software update, and BOP staff will confirm by tomorrow whether the update has been successfully applied. But BOP staff conveyed that, to date, the defendant has apparently not requested law library access in the weeks prior to trial, and the legal research software (discussed at today's conference) has been available for his use.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/
Jonathan L. Bodansky
Nicholas S. Bradley
Assistant United States Attorneys
(212) 637-2385 / -1581

cc: Defendant (via U.S. Mail and hand delivery)
Standby counsel (via ECF)